

REGULAR MEETING OF COMMON COUNCIL

A regular meeting of the Common Council of the City of Chippewa Falls was held on Tuesday, July 21, 2009 at 6:30 PM in the City Hall Council Chambers. Mayor Gregory Hoffman presiding. The Pledge of Allegiance was given.

CLERK CALLS THE ROLL

Council members present: Michael Dahlby, Brian Flynn, CW King, Jason Anderson, Donald Baker, Dennis Doughty, Susan Zukowski.

City staff present: City Planner Jayson Smith, City Engineer/Public Works Director Rick Rubenzer, Police Chief Wayne Nehring, Recreation Supervisor Dick Hebert, Fire Inspector Chuck Goettl, Fire Chief Tom Larson.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

(a) Motion by Flynn/King, all present voting aye, to approve the minutes of the regular council meeting of July 7. **Motion carried.**

PERSONAL APPEARANCES BY CITIZENS

Russ Blair, 228 Oak Knoll Drive, Chippewa Falls, stated the time limit of three minutes for comments was not put on the business people who have spoken in the past. He indicated the City should have addressed the wellhead protection plan when they annexed the Canadian Sand & Proppant land as there are certain restrictions for property in wellhead protection areas. Mr. Blair is still concerned with the Plan Commission appointments made by the Mayor and indicated there was a conflict when two members voted to approve minutes from a previous meeting. In that previous meeting the two members had recused themselves due to a conflict of interest.

PUBLIC HEARINGS

(a) Mayor Hoffman opened a public hearing at 6:39 PM regarding the rezoning of Parcel #4412.7 South of Business #29 and North of Wisconsin Street from A-1 Agricultural to R-2 Two Family Residential District. **Pat Dineen** spoke on behalf of her mother who owns 626 E. Wisconsin Street and was opposed to the rezoning. She indicated there are property boundary issues and she is concerned with what will happen if the property is developed. Public Works Director Rick Rubenzer and Council President Susan Zukowski indicated they received calls from Kim Randall who also opposed this rezoning. **Chris Davis**, 11196 43rd Avenue, Chippewa Falls spoke on behalf of his request for the rezoning. He indicated he intends to build units that will rent for \$950 and hopes to attract young families. **Dan Dineen**, 423 Woodward Avenue, Chippewa Falls, opposed the rezoning and was concerned about the land being too low for development. **John Krista**, 708 Marilyn Street, Chippewa Falls, was concerned with the amount of traffic and noise created by this development. **Mark Sokup**, 703 Veronica Street, Chippewa Falls, likes the trees and land the way it is now and is concerned with traffic if developed. **Robert Johnson**, Edina Realty, spoke on behalf of the seller and indicated the development would improve land values not lower them. No one else appeared for or against the hearing was closed at 6:52 PM.

COMMUNICATIONS

None

REPORTS

- (a) **Motion by Anderson/Doughty** to approve the minutes of the Plan Commission meeting of July 13 with a correction indicated by Public Works Director Rick Rubenzer on Item #3 changing the Parcel # to 4291. **After a roll call vote, said motion passed unanimously.**
- (b) **Motion by Zukowski/Anderson** to approve the minutes of the Board of Public Works meeting of July 13 with a correction indicated by Public Works Director Rick Rubenzer on Item #3 to read "curbs and *gutters*". **After a roll call vote, said motion passed unanimously.**

APPLICATIONS

- (a) **Motion by Anderson/Flynn, all present voting aye**, to approve the list of Operator (Bartender) licenses as recommended by the Police Department. **Motion carried.**
- Motion by King/Anderson, all present voting aye**, to approve the Operator/Bartender license application of Lawrence Thomas tabled from the July 7 meeting. **Motion carried.**
- (b) **Motion by Flynn/Baker, all present voting aye**, to approve the Class B Beer/Liquor Application of Beverage Properties, LLC. for The Lodge located at 1200 W. River Street – Pamela Chance, Agent. **Motion carried.**
- (c) **Motion by Anderson/King, all present voting aye**, to approve the Application of Eau Claire Area Hmong Mutual Assistance Association Inc. for a Temporary Class "B"/"Class B" Retailer's License for the Hmoobfest '09 on August 22 & 23. **Motion carried.**
- (d) **Motion by Flynn/Zukowski, all present voting aye**, to approve the Application of Eau Claire Area Hmong Mutual Assistance Association Inc. for a Class E Dance License for August 22. **Motion carried.**
- (e) **Motion by King/Anderson, all present voting aye**, to approve the Application of St. Charles Borromeo Parish Celebration of Summer for a Temporary Class "B"/"Class B" Retailer's License for the Celebration of Summer Church Picnic on August 2. **Motion carried.**
- (f) **Motion by Zukowski/King, all present voting aye**, to approve the Application of St. Charles Borromeo Parish for a Class E Dance License for August 2. **Motion carried.**
- (g) **Motion by Zukowski/Flynn, all present voting aye**, to approve the Application of Oktoberfest/Chippewa Foundation, Inc. for a Temporary Class "B"/"Class B" Retailer's License for the Oktoberfest on September 18, 19 & 20. **Motion carried.**
- (h) **Motion by Anderson/King, all present voting aye**, to approve the Street Use Permit Application of Oktoberfest for the Oktoberfest Golden Keg Procession on September 18. **Motion carried.**
- (i) **Motion by Zukowski/Anderson, all present voting aye**, to approve the Application of Oktoberfest/Chippewa Foundation, Inc. for a Class E Dance License for September 18, 19 & 20. **Motion carried.**
- (j) **Motion by Flynn/King, all present voting aye**, to approve the Application of Chippewa Falls Lions Club for a Temporary Class "B"/"Class B" Retailer's License for the Pure Water Days Tournament August 7, 8 & 9. **Motion carried.**

PETITIONS

- (a) The correspondence from Woods & Water Realty, Inc. regarding the re-zone petition for Lot 1, CSM 3629, Parcel #4453.1000 was presented. No action taken.
- (b) The communication from residents of 7th and Broadway Avenues regarding a rezoning petition addressed at the Plan Commission meeting of July 13 was presented. No action taken.

MAYOR ANNOUNCES APPOINTMENTS

None

MAYOR'S REPORT

None

COUNCIL COMMITTEE REPORTS

(a) Motion by Flynn/Dahlby, all present voting aye, to approve the minutes of the Committee of the Whole meeting of July 15. **Motion carried.**

(b) Motion by King/Dahlby, all present voting aye, to approve the minutes of the Committee #1, Revenues, Disbursements, Water and Wastewater meeting of July 8. **Motion carried.**

(c) Motion by Zukowski/King, all present voting aye, to approve the minutes of the Committee #2, Labor Negotiations, Personnel, Policy & Administration meeting of July 10. **Motion carried.**

(d) Motion by Flynn/Zukowski, all present voting aye, to approve the minutes of the Committee #2, Labor Negotiations, Personnel, Policy & Administration meeting of July 17. **Motion carried.**

(e) Motion by Flynn/Zukowski to approve the minutes of the Committee #3, Transportation, Construction, Public Safety & Traffic meeting of July 9. **After a roll call vote, said motion passed unanimously.**

(f) The minutes of the Park Board meeting of July 14 were presented.

(g) The minutes of the Library Board meeting of July 15 were presented.

REPORT OF OFFICERS

None

ORDINANCES

(a) Motion by Zukowski/Flynn to deny **Ordinance 2009-09** Entitled: An Ordinance Amending the Zoning Code of the City of Chippewa Falls. (Parcel 4412.7 from A-1 Agricultural to R-2 Two Family) **Said motion passed (and the ordinance was not approved) after the following roll call vote: Aye – Zukowski, Flynn, Dahlby, Doughty; Nay – King, Anderson; Abstain – Baker.**

(b) Motion by King/Flynn to approve **Ordinance 2009-10** Entitled: An Ordinance Repealing a Portion of the Two Hour Restricted Parking Code Section, Section 7.09(2)(b) 24. of the Chippewa Falls Municipal Code. **After a roll call vote, said motion passed unanimously.**

(c) Motion by Flynn/Zukowski to approve **Ordinance 2009-11** Entitled: An Ordinance Repealing and Recreating a Portion of the Restricted Parking on City Owned Property Code Section, Section 7.09(2)(g) 4. of the Chippewa Falls Municipal Code. **After a roll call vote, said motion passed unanimously.**

(d) The **First Reading of Ordinance 2009-12** Entitled: An Ordinance Repealing and Recreating the Outdoor Beer Gardens Code Section 12.03(6) of the Chippewa Falls Municipal Code was held. **There was a motion by King/Flynn** to suspend the rules and conduct a second reading. **Said motion failed after the following roll call vote: Aye – King, Flynn, Dahlby, Anderson, Baker; Nay – Doughty, Zukowski.** The second reading will be held at the August 4 council meeting.

RESOLUTIONS

(a) Motion by King/Doughty to approve **Resolution 2009-19** Entitled: Resolution Approving Certified Survey Map (Outlots 1 & 2 South of CTH "S"). **Said motion passed after the following roll call vote: Aye – King, Doughty, Flynn, Anderson, Baker, Zukowski; Nay – Dahlby.**

OTHER NEW OR UNFINISHED BUSINESS AS AUTHORIZED BY LAW

None

CLAIMS

(a) The Claims Committee met at 6:00 PM before the regular meeting to review the claims for payment by the various departments of the city. **Motion by Anderson/Doughty** to approve the payment of the claims listed below. **After a roll call vote, said motion passed unanimously.**

City General Claims and	
Authorized/Handwritten Claims:	\$411,405.86
Public Utility Claims	\$169,953.17

CLOSED SESSION

None

ADJOURNMENT

Motion by Baker/Anderson, all present voting aye, to adjourn at 7:23 PM. **Motion carried.**

Minutes submitted by,

Lynne Bauer, City Clerk